IN THE HIGH COURT OF BOMBAY AT GOA

WRIT PETITION NO. 256 OF 2006

SHRI JOSE SANTANA COSTA (DECEASED) THROUGH HEIRS ....Petitioners

Versus

SHRI EDMUNDO EGIDIO LAURENTA DE PIEDADE (DECEASED) THROUGH HIS HEIRS ....Respondents

Mr. Shambu S. Kakodkar, Advocate for the Petitioners.

Coram:- SMT. RANJANA DESAI, J.

Date:- 16th June, 2006

P.C.:

In this Writ Petition, Order dated 6.03.2006 passed by the Civil Judge S.D., Margao is challenged. By the impugned order, the plaintiff is permitted to bring the legal representatives of the plaintiff and defendant no.1 on record.

Heard the learned counsel for the Petitioners. He contended that no explanation whatsoever has been given by the heirs of the plaintiff as to why the application for bringing the heirs on record was delayed. In my opinion, this is not a case which calls for interference in writ jurisdiction. In the case of Mithailal Dalsangar Singh and others v. Annabai Devram Kini and others reported in A.I.R. 2003 S.C., 4244, the Supreme Court has held that in such matters normally there should not be interference by a superior Court.

Writ Petition dismissed.

SMT. RANJANA DESAI, J.

sl.